

At an I.A.S. Trial Term, Part 9 of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, located at Civic Center, Borough of Brooklyn, City and State of New York, on the 26 day of September 2019

P R E S E N T :

Hon. Silber
Justice

911 Realty Corp Plaintiff(s)

Cal. No. 50 + 51
Index No. 509105/2019

- against -

Arihay Kailov
and Royal A&K Realty Capital, Defendant(s)

The following papers numbered 1 to 4 read on this motion

Papers Numbered

Notice of Motion - Order to Show Cause

1, 2

and Affidavits (Affirmations) Annexed

3

Answering Affidavit (Affirmation)

4

Reply Affidavit (Affirmation)

Affidavit (Affirmation)

Pleadings - Exhibits

Stipulations - Minutes

Filed Papers

After oral argument, Plaintiff's motion to admit pro hac vice is denied as academic. (ms #1)

Defendant's cross motion to dismiss this action pursuant to CPLR 3211(a)(4) is hereby granted. (ms #2)
Plaintiff has a pending action in federal court.*

Additionally, Plaintiff has failed to add a

For Clerks use only

MG

MD

Motion Seq. # 1, 2

necessary party, Paul Fine, in this action for a declaratory judgment declaring that the deed from Mr. Fine to A Royal should be canceled, and declared void.

E N T E R

J.S.C.

Hon. Debra Silber
Justice Supreme Court

EJV-rev 11-04

2019 OCT - 1 AM 8:30

COURT OF APPEALS
RECEIVED
2019 OCT - 1 AM 8:30
COURT OF APPEALS

The Clerk of No court is directed

to cancel the Notice of Pendency filed 4/24/19 against Block 4948 lot 82.

EXHIBIT 9

* Kailov v Kailov, 19 cv 2521 (USDC, EDNY) regarding, inter alia, This prompt